

**ROSEMARY B. SCOTT** )  
**Plaintiff,** )  
) )  
**vs.** )  
) )  
**JPMORGAN CHASE BANK, N.A.,** )  
**et al.,** )  
**Defendant.** )  
)

**THIS MATTER** is before the Court on the Defendants’ Joint Motion to Dismiss for Failure to Prosecute (Doc. No. 8), the Memorandum in Support (Doc. No. 9), and the Magistrate Judge’s Memorandum and Recommendation (“M&R”) (Doc. No. 10), which recommended that the Motion be granted. The parties were advised that objections were to be filed in writing within ten (10) days after service of the Magistrate Judge’s decision. (Doc. No. 10: M&R at 2-3). The time for filing objections has since passed and no objections have been filed by either party in this matter. For the reasons stated below, the Court GRANTS the Defendants’ Motion to Dismiss.

The Federal Magistrate Act provides that a district court “shall make a de novo determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C); Camby v. Davis, 718 F.2d 198, 198 (4th Cir. 1983). “By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

## II. CONCLUSION

Accordingly, after a careful review of the record in this case, the Court finds that the Magistrate Judge's findings of fact are supported by the record and his conclusions of law are consistent with and supported by current case law. See Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982) (holding that only a careful review is required in considering a memorandum and recommendation absent specific objections). Thus, the Court hereby accepts the M&R of Magistrate Judge Cayer and adopts it as the final decision of this Court for all purposes relating to this case.

**IT IS, THEREFORE, ORDERED** that the Defendants' Motion to Dismiss is **GRANTED**.

Signed: April 27, 2009

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

